

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

Andre C. Cormier

Plaintiff

FILED

Charlotte

Jan 14 2022

U.S. District Court
Western District of N.C.

v.

Bank of America
Branch Banking and Trust Company
Dover Mortgage Capital Corporation
Roundpoint Mortgage Company Corporation

Defendant

Civil Action No.

Cause of Action False Claim 12U.S.C.37279

"All Exhibit are attached to flash drive"

Whereas on or about February 20, 2020 discover Sherry A. Hunt civil case on the internet, Andre C. Cormier {RELATOR} Commenced a qui tam action the (Civil Action) pursuant to the False Claim Act, [31 U.S.C: 3730 (b)] by filing a complaint in the United State District Courts against Defendants at their headquarter. It is 140 different Defendants in 80⁵⁰ Unite State District Counts this complaint will be filed in. **Hebrews 13: 20-21: Now the God of peace, who brought up from the dead the great Shepherd of the sheep through the blood of the eternal covenant, even Jesus our Lord, equip me in every good thing to do His will, working in me that which is pleasing in His sight, through Jesus Christ, to whom be the glory forever and ever. Amen. 1**

Whereas in the Civil Action, Relator alleges that Defendants violated the False Claims Act [31 U.S.C: 3729 et seq.] in connection that Defendant use **[Exhibit: A fraudulent Notice Of Default And Foreclosure Sale instrument]**, by making himself the current mortgagee violating +[12 U. S. C: 3757], because the current mortgagee is not the owner of the Deed of Trust recorded in the county clerk office, that is on these Notice Of Default And Foreclosure Sale. Defendant submitted false claim to [12 U. S.C: 1710 (a)] Payment Of Insurance and collect taxpayer money off of these toxic mortgages.2

This why the State of Texas legislated a law to **[Exhibit: B Destroy Notice of Sale]**, to avoid from complying. [12U.S.C 3758], to allow the Defendants to target these mortgagor who is a part of this **[Exhibit: C Multi-State Class Action Suit]**, certain borrows who obtained mortgage from Ameriquest Jan 1999 to Dec 31 2005 by Gregg Abbott the Attorney General of Texas, at

that time against (Ameriquest Parties) resolved claims that Ameriquest parties engaged in unlawful mortgage lending practices. To extort the mortgagor out of the property with fraudulent Notice Of Default And Foreclosure Sale Instruments violating [12 U.S.C. 3757]. So Defendant can submit a false claim to get the insurance payment off of a toxic mortgage that Defendant is not owner of from [12 U.S.C; 1710(a)]. **[Exhibit: D My journey through Tarrant Country Courts]** will show the extent of property theft by extortion committed by Judges and Defendants Attorney to force me to take **[Exhibit: E Relocation Assistances]**, each step through the courts, they would try to force me to take Relocation Assistances that would convey my homestead over to the Defendant, this would separate Defendant from the toxic mortgage to file a false claim, to collect taxpayer money off of these toxic mortgages. 3

These borrows are protected by Texas Constitution which provides that a Texas Home Equity note on a homestead is not valid unless it secures a debt that meet specific constitutional condition according to [Tex. Const. Art. 16 Sec 50 (c)] 255.06] 4

[Article XVI] of the Texas Constitution by section [50 (a)(6)(Q)(X)(10)] provide that the lenders will forfeit all principal and interest if the lenders fail to comply with the obligation unless the lenders cures. The failure to comply as provided the above section. These borrows mortgage are "NULLITY" according to the above class action suit, also supported by the [US. Const. Art. VI Cl .2.] .5

This is the vehicle the MORTGAGE ELECTRONIC REGISTRATION SYSTEM the Defendants uses to commit the false claim act [31 U.S.C.; 3729] by using **Different individual" or M.E.R.S)** participation in the Direct Endorsement Lender Program by causing the United States or its department or agents to insure mortgages originated.... by **"different individual" or (M.E.R.S)**, based upon its false statements that said loans were consistent with the United States regulation and rule with regard to the quality of said mortgages or loans. When foreclosure occurs Defendants uses the fraudulent Notice Of Default And Foreclosure Sale, by making himself the current mortgagee violating [12 U.S.C:3757], to extort mortgagor out of the property, Defendants submits a false claim to [12 U.S.C:1710(a)] Payment Of Insurance and collect taxpayer money. These mortgage is after the class suit, been foreclose on within 2 to 8 years. These procedures keep the Defendants names off of originated of the mortgages. 6

Texas Local Gov. Code Chapter 192, title instrument to be release governs, section 007 title: Record that is filed, register or record in the county clerk office a person must file, register or record another instrument relating to the action in the same manner as the original instrument was filed, register or record. 7

In a suit to foreclosure a mortgage, it should be in the name of the real owner of the debt secured (emphasis added). **The Real-Party-In-Interest-Doctrine Concurs**, along with

[Fed.R.Civ.P.17] An action must be prosecuted in the name of the real party in interest, of release and other action (a) To release transfer, assign, or take other action relating to an instrument. 8

[Exhibit: F REPORT FROM BUREAU OF CONSUMER FINANCIAL PROTECTION]; Well Fargo Bank N.A said: they were not the owner of the DEED OF TRUST. Do to all the injustice from the state of Texas all the way through Tarrant Country, I have no way to make Wells Fargo N.A to paid for the value of my home they stole, which is \$275,000 today value, so I am asking for your help.

This how the STATE OF TEXAS infringer upon the U.S Const. Amend 5th Cl 3 and 4, and U.S Const. 14th Amend Cl, 2. **[Exhibit: B Destroy Notice Of Sale]** which violate [12 U.S.C. 3758]. 9

State of Texas infringer upon the Constitutional Provision that prohibits the government from unfairly or arbitrarily depriving a person of life, liberty or property. There are two Due Process Clauses in the U.S Constitution, one is the 5th Amendment applying to the federal government, and one in the 14th Amendment applying to the states. 5th Amendment Due Process Clause also applies to the states under the incorporation doctrine.

U.S Const. Amend V CL. 3&4 state... nor be deprived of life, liberty, or property, without due process of law nor shall private property be taken for public use, without just compensation.

U.S. Const. Amend XIV, CL. 2. Provides in part: nor shall any state deprive any person of life, liberty, or property without due process of law.

U.S. Const. Art VI CL. 2. The law of United States... shall be supreme law of the land: and the Judges in every state shall be bound thereby anything in the constitution or law of any state to the contrary not with standing. 10

Texas Constitution is not a document that he consults at his convenience. The Constitution is uninterrupted chapter of governmental structure that limits the Governor Abbott ability to act as a King.

DON'T MESS WITH TEXAS

Texas need to be mess with by legislate a law to destroy the Notice Of Default And Foreclosure Sale.

Thousands of past, present, and future Texans will continuously be deprive out of due process of the law, Defendants will continuous to steal taxpayer money from "HUD." 11

This is the information to get all the people that is in the **Multi-State Class Action Suit** of Texas. Because the most foreclosure happen in these cities Harries County, El Pasco, Dallas Country, San Antonia Country, was unable to get access to their Country records. When President Trump made his vicious attack on Consumer Financial Protection Bureau, through Supreme Court they

Handed Mr. Trump more authority over the federal agency. Mr. Trump named Katy Kraninger to be head of C.F.P.B agency, we no longer was able to get access to any of the country records in the state of Texas from January of 2019 to January of 2020.

Settlement Administrator 1-800-420-5874

www.ameriquestmultisstatesettle.com

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WITH SETTLEMENT AGREEMENT EXHIBIT C

OF CLASS ACTION SUIT **12**

This is a multi-state class action suit, get the toxic mortgage from this multi-state class action suit, and check and see how many "HUD" paid out on, if someone will check each state litigation guide and if they legislate "NOT REQUIRE TO BE FILED THE NOTICE OF DEFAULT AND FORECLOSURE SALE, the above practice is occurring in that state, if so just check the foreclosure record that "HUD" paid out and demand the NOTICE OF DEFAULT AND FORECLOSURE SALE from the county clerk office or Defendant. This is when foreclosure was at its highest, right after Mr. Trump vicious attack on C.F.P.B, when Mr. Benson Carson was U.S Secretary of Housing and Urban Development. **13**

Now I understand when President Bush in 2000 told everybody to get a home and the financial destruction of 2008 do to these toxic mortgages. The States legislate a law that deprive the homeowners out of their Constitution Rights, and how the Republican is placing these Judges in Supreme Court, Appellate courts, U.S. District Courts, all across America, so they can defend the theft is taking place in H.U.D. Heartless taking the wealth of the homeowners and setting them out on the street destroying their family, by pushing them into poverty. **14**

VENGEANCE OF GOD: PSALMS: 94: 1-23

Date: 12-28-2021

Andre C. Cormier

Signature of the attorney or unrepresented party

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Roundpoint Mortgage Servicing Corporation
Defendant

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Contingent Contract for Legal Fee According to [31 U.S.C. 3730]

These are the laws I had to learn to fight Wells Fargo for illegally foreclosure on my homestead, through this journey I discover that this was taking lace state wide in Texas, by discovering Fraudulent Notice of Default and Foreclosure Sale. Defendants have submitted False Claims to H.U.D, collecting taxpayers' money off of the toxic mortgage. **All the legal work is on the flash drive to this complaint as Exhibits.**

We went through each county (248 counties) foreclosure records, looking through thousands of documents of each county, to find the fraudulent Notice of Default and Foreclosure Sale instruments, and discover a 137 Defendants committed property theft. The instruments are **Exhibit: A on the flash drive.**

I want to give thanks to the three ladies for their diligence work in helping me and my daughter to bring this to the light, they are to share the **\$200,00 legal fee**, according to their percent, paid directly to them. 50% goes to Maegan Marsical, 25% goes to Leslie Ortiz, and the remaining 25% goes to Taraney Ephraim-Surrell.

Date: 12-28-2021

Andre C. Cormier

Signature of the attorney or unrepresented party

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